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SEP 0 9 2008

JOHN F. CORCORAN, CLERK

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA HARRISONBURG DIVISION

UNITED STATES OF AMERICA) Criminal Case No. 5:04cr30075-1
) (2255 Case No. 5:08cv80091)
v.) 2255 FINAL ORDER
) By: Hon. Glen E. Conrad
JOSEPH COLEMAN) United States District Judge

For the reasons set forth in the Opinion accompanying this Final Order, it is **ORDERED** that the defendant's motion (Dkt. No. 64), which the court construed as a motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, is hereby **DISMISSED** and is **STRICKEN** from the active docket of this court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the parties.

ENTER: This <u>and</u> day of September, 2008.

United States District Judge